

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|--------------------|---|---------------------------------|
| KYTREL QUIVERS, | § | |
| | § | No. 194, 2009 |
| Defendant Below, | § | |
| Appellant, | § | Court Below—Superior Court |
| | § | of the State of Delaware in and |
| v. | § | for New Castle County |
| | § | |
| STATE OF DELAWARE, | § | |
| | § | |
| Plaintiff Below, | § | Cr. ID No. 0610027845 |
| Appellee. | § | |

Submitted: August 24, 2009
Decided: September 1, 2009

ORDER

This 1st day of September 2009, the Court has considered the notice to show cause issued to the appellant, Kytrel Quivers, on August 7, 2009, for his failure to file the opening brief and appendix that were due to be filed on or before July 27, 2009. Quivers has not responded to the notice to show cause and has not filed the opening brief and appendix. Quivers' failure to respond to the notice to show cause is deemed to be his dismissal of this appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice